

Amendments to the claims:

This listing of the claims will replace all prior versions, and listings of claims in the application.

Listing of Claims:

1. (Original) A stable pharmaceutical formulation of erythropoietin containing tris-(hydroxymethyl)-aminomethane as stabilizer, whereby the formulation does not contain amino acids or human serumalbumin.
2. (Currently Amended) A stable pharmaceutical formulation of claim 1 comprising:
  - a) as a pH buffering agent a sodium phosphate buffer,
  - b) as stabilizer tris-(hydroxymethyl)-aminomethane in an amount of 10 to 200 mM, and
  - c) a pharmaceutical quantity of erythropoietin.
3. (Original) The formulation of claim 2 which comprises NaCl in an amount of 20-150 mM.
4. (Currently Amended) The formulation according to ~~any of the preceding claims~~ claim 3 wherein the amount of NaCl ranges from 50 to 100 mM.
5. (Currently Amended) The formulation of claim 1 ~~to 4~~ which is an aqueous formulation.
6. (Currently Amended) The formulation of ~~any of the preceding claims~~ claim 2 wherein the pH buffering agent has the formula  $\text{Na}_x\text{H}_y\text{PO}_4$  wherein x is 1 or 2 and y is 1 or 2 and the sum of x and y is 3 whereby the pH buffering agent is present in the pharmaceutical formulation in a range of 5 mM to 50 mM.

7. (Currently Amended) The formulation of ~~any of the preceding claims~~claim 1 wherein the pH ranges from 5.9 to 6.8, preferably from 6.2 to 6.6.
8. (Currently Amended) The formulation of ~~any of the preceding claims~~claim 1 wherein the tris-(hydroxymethyl)-aminomethane is present in an amount of 20 to 100 mM.
9. (Currently Amended) The formulation of ~~any of the preceding claims~~claim 1 which contains also a non-ionic detergent in an amount ranging from 0.005 to 0.1 % w/v.
10. (Currently Amended) The formulation of claim 9 wherein the non-ionic detergent is a polysorbate, ~~preferably Tween 20 or Tween 80.~~
11. (Original) The formulation according to claim 10 wherein the polysorbate is not produced from materials derived from animals and wherein the content of peroxide is lower than 1.00  $\mu\text{mol/g}$ .
12. (Currently Amended) The formulation according to ~~any of the preceding claims~~claim 1 which comprises further ethylenediaminetetraacetic acid in an amount of 0.1 to 0.5 mM.
13. (New) The formulation of claim 10, wherein the non-ionic detergent is Tween 20 or Tween 80.